

In the Court of Appeals of the State of Alaska

Benjamin MacMurray,
Appellant,

v.

State of Alaska,
Appellee.

Court of Appeals No. **A-13815**

Order

Date of Order: **10/7/22**

Trial Court Case No. **4TO-15-00030CR**

After the Appellant's counsel, Douglas S. Miller, failed to file the Appellant's opening brief within the time he had requested, this Court ordered Mr. Miller to show cause why a fine of \$50.00 should not be imposed under Appellate Rule 510 (c). *See* Order dated 9/22/22.

Mr. Miller has filed his response to the order to show cause, along with the Appellant's opening brief and a motion to accept the late-filed brief. After reviewing Mr. Miller's response to the order to show cause, the Court concludes no sanction will be imposed.

Upon consideration of Mr. Miller's motion to accept the Appellant's late-filed opening brief,

IT IS ORDERED:

The motion is **GRANTED**. The brief is accepted as filed, subject to an Appellate Rule 212 check.

This order is entered prior to the due date for an opposition. If a timely opposition is filed, this matter will be referred to a judge for consideration *de novo*. App. R. 503(d).

Entered under the authority of Chief Judge Allard.

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Clerk of the Appellate Courts



Ryan Montgomery-Sythe,
Chief Deputy Clerk

cc: Court of Appeals Judges

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Miller, Douglas S., OPA - Contract
Rosenstein, Kenneth M.